

THE HONOURABLE SRI JUSTICE P. KESHA VA RAO

WRIT PETITION No.36270 of 2014

ORDER:

There is no representation on behalf of the petitioner.

2. The prayer sought in the writ petition is as under:-

“...to issue an appropriate Writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction of the respondents 1 to 6 for arresting accused i.e., respondent No.7 to 9 in pursuance of the non-bailable warrant orders passed on 18-1-2014 in E.A.No.84 of 2012 in C.C.No.476 of 2011 on the file of Hon’ble District Consumer Dispute Redressal Forum as illegal, arbitrary in violation of Art.14, 19 & 21 of the Constitution of India and consequently direct the respondents 1 to 6 to arrest the accused i.e., respondents No.7 to 9 and produce before the Hon’ble District Consumer Disputes Redressal Forum-I, Hyderabad; and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case and in the interest of justice.”

3. Learned Government Pleader appearing for respondent Nos.1 to 6 placed on record the written instructions issued by the Inspector of Police, Banjara Hills Police Station, Hyderabad.

4. From a perusal of the said written instructions, it is revealed that the District Consumer Disputes Redressal Forum-I, Hyderabad, vide its letter Dis.No.40/DCF-I/Hyderabad, dated 18.01.2014, issued Non-Bailable Warrants (NBWs) against respondent No.7 and others in connection with E.A.No.84 of 2012 in C.C.No.476 of 2011 and the said NBWs were forwarded to respondent No.6 for execution. Respondent No.6 deputed A.S.I.-Ambalgan and P.C.No.5965-T.Venu Babu and while executing NBWs to the address given in NBWs, they found that the houses locked and vacated their houses long back. Therefore, respondent No.6 could not execute the said NBWs against

them. To that effect, a report was also submitted to the District Forum and returned the NBWs on 24.03.2014. In fact, the copies of the statements of the police constables as well as the house owners are enclosed along with the written instructions for the kind perusal of this Court. Since, the NBWs issued by the District Consumer Redressal Forum were returned in the month of March 2014 itself, the question of inaction for execution of the said NBWs does not arise. In fact, it is also mentioned that no fresh NBWs are pending before respondent No.6 for execution.

5. In that view of the matter, this Court is of the opinion that there are no merits in the writ petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No order as to costs.

Miscellaneous petitions pending, if any, shall stand dismissed.

9th January 2020

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P. KESHA VA RAO, J